

## REMARKS

### **Summary of Office Action**

As an initial matter, Applicants note with appreciation that the Examiner has indicated consideration of the Information Disclosure Statements filed February 7 and August 1, 2007 by returning signed and initialed copies of the Forms PTO-1449 submitted therein.

Applicants further note with appreciation that the Examiner has acknowledged the claim for foreign priority under 35 U.S.C. § 119(a)-(d) and (f) and the receipt of a certified copy of the priority document.

Claims 16-45 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as allegedly being unpatentable over claims 16-45 of copending Application No. 10/574,230.

### **Response to Office Action**

Reconsideration and withdrawal of the rejections of record are respectfully requested.

### ***Response to Provisional Nonstatutory Obviousness-Type Double-Patenting Rejection***

In order to advance prosecution of the present application to allowance Applicants herewith submit an executed Terminal Disclaimer with respect to copending Application 10/574,230, thereby rendering this rejection moot.

As noted above, Applicants submit an executed Terminal Disclaimer to advance prosecution of the application to allowance. This Terminal Disclaimer is being presented

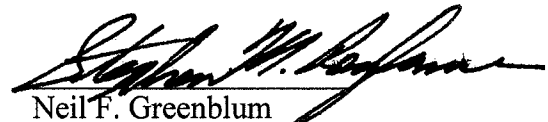
without expressing agreement or acquiescence with the rejection of record, and merely is being filed to place the application in condition for allowance.

Authorization is hereby provided to charge any fee necessary for consideration or entry of the Terminal Disclaimer to Deposit Account No. 19-0089.

### CONCLUSION

In view of the foregoing, it is believed that all of the claims in this application are in condition for allowance, which action is respectfully requested. If any issues yet remain which can be resolved by a telephone conference, the Examiner is respectfully invited to contact the undersigned at the telephone number below.

Respectfully submitted,  
Ulrike SCHULZ et al.



Neil F. Greenblum  
Reg. No. 28,394

Stephen M. Roylance  
Reg. No. 31,296

April 7, 2008  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191